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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

BAHRAM SHAKERI , et al. ) Case No. 8:21-cv-00549-GJH  
Plaintiffs )  
vs ) Parties' Joint Rule 26(f) Report  
JOHN DOE, et al. ) Next Hearing:  
Defendants ) Date/Time:  
 ) Courtroom:

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**JOINT STATUS REPORT**

**STATEMENT OF THE CASE**

1. Claims by Plaintiffs

On or about January 21, 2020, Mr. Shakeri was in MGM National Harbor when Delonte West attacked him for the first time. Mr. Shakeri tried to get away to calm the situation down, but he was followed by Mr. West. Then when he tried to leave, Mr. West continued to attack and harass him.

Finally, Mr. West instigated a fight with Mr. Shakeri near the 6700 block of Oxon Hill road. Mr. West threw a glass at Mr. Shakeri's head. It was only then that Mr. Shakeri in self-defense took action against Mr. West. Bystanders who were witnessing the altercation took video and placed it on social media, where Mr. Shakeri can be clearly seen and has been recognized by numerous individuals. Once Mr. West was detained by police, video was taken by an officer where Mr. West stated that Mr. Shakeri "approached him with a gun".

1 Based on investigation of witnesses done at the scene by the Prince George's County Police  
2 Department, officers were fully aware that Mr. Shakeri did not approach Mr. West with a gun, and  
3 that it was, in fact, Mr. West who instigated the altercation.

4

5 Despite knowing that Mr. West's defamatory statements were absolutely false, an officer  
6 of the Prince George's County Police Department released the video of Mr. West's statements to  
7 the media, where news outlets like TMZ publicized Mr. West's statements against Mr. Shakeri.  
8 As stated by Chief Hank Stawinski, "It [was] irresponsible for that [video], taken by a Prince  
9 George's County police officer, to be in the public's hands..."

10

11 Plaintiffs allege the following claims: (1) Gross Negligence.

- 12
- 13 1. Claims by Defendant and Counterclaims:  
14 None.

15

16 Affirmative Defenses by Defendant:

17 The Defendants did not engage in conduct amounting to gross negligence. The John Doe  
18 Officer's actions or omissions were privileged, reasonable, legally justified, and based on probable  
cause. The Defendants' actions were constitutional. The John Doe Officers did not act with malice.  
19 The John Doe Officer did not engage in willful and wanton conduct. The Defendants did not  
20 wantonly and willfully inflict injury that is so utterly indifferent to the rights of the Plaintiff or  
21 when they act as such rights do not exist. The Defendants did not act with any evil intentions. The  
22 Defendants did not engage in any acts that amounted to an intentional failure to perform a manifest  
23 duty in reckless disregard of the consequences affecting the life or property of another. The  
24 Defendants acted with reasonable care towards the Plaintiff. The Defendants did not owe any duty  
25 to the Plaintiff, nor did they breach any duty. Plaintiff failed to demonstrate any damages caused  
26 to the Plaintiff, nor did they breach any duty. Plaintiff failed to demonstrate any damages caused  
27

1 by the Defendants. The actions of the Defendants were not intentional or willful. The Defendants  
2 did not engage in conduct amounting to gross negligence. The John Doe Officer's actions or  
3 omissions were privileged, reasonable, legally justified. Plaintiff's claims are barred by the  
4 doctrines of contributory negligence and assumption of the risk. Plaintiff cannot recover for  
5 punitive damages. Plaintiff failed to provide the County with Notice of Tort Claim.  
6

7 **STATEMENT OF JURISDICTION**

8 The Parties agree that this court has jurisdiction pursuant to 28 U.S.C. § 1332.

9 Venue is proper because a substantial part of the events that support this cause of action all  
10 occurred within the district.  
11

12 **LEGAL ISSUES**

13 The key legal issues in this case are whether Defendant was negligent in releasing a video  
14 to the media that contained a knowingly defamatory statement about Plaintiff, which was shared  
15 globally with many recipients.  
16

17 **PARTIES, WITNESSES, AND EVIDENCE**

18 1. Parties

a. Bahram Shakeri	Plaintiff
b. John Doe 1	Defendant
c. John Doe 2	Defendant
d. John Doe 3	Defendant
e. John Doe 4	Defendant
f. John Doe 5	Defendant
g. John Doe 6	Defendant
h. John Doe 7	Defendant
i. John Doe 8	Defendant
j. John Doe 9	Defendant
k. John Doe 10	Defendant

1           2. Percipient Witnesses

- 2           a. Bahram Shakeri  
3           b. Delonte West  
4           c. Chief Hank Stawinski  
5           d. Officer of Prince George's County that released the video  
6           e. Bystanders that witnessed the altercation and filmed the video and placed it on social media

7           3. Key Documents

- 8           a. Video Footage of the Altercation Released to and distributed by TMZ and other  
9           media outlets  
10          b. Police bodycam footage  
11          c. Investigative reports

12           **DAMAGES**

13          Plaintiff contends that a jury may reasonably award compensatory and punitive damages  
14          of at least \$5,000,000.00 (5 million dollars.) Defendant maintains that recovery is unlikely.

15           **INSURANCE**

16          Defendant is self-insured.

17           **MOTIONS**

18          Plaintiffs expect to conduct discovery into the true identities of the Officer of Prince  
19          George's County that released the video footage and may add such individuals as named  
20          Defendants. Plaintiff will seek the consent of Defendant to add any such Parties and may need to  
21          file a motion for leave to amend if no stipulation is reached. The parties anticipate filing one or  
more motions *in limine* prior to trial.

22           **DISPOSITIVE MOTIONS**

23          Plaintiff intends to file a motion for summary judgment should evidence found through  
24          discovery warrant the filing of such motion. Defendant intends to file a motion for summary  
25          judgment.

1

## **COMPLEX LITIGATION**

2       The Parties agree that this case is not a complex case and does not require reference to the  
3 procedures set forth in the Manual on Complex Litigation.

4

## **STATUS OF DISCOVERY**

5       No discovery has been conducted in this case yet.

6

## **DISCOVERY PLAN**

7       Plaintiff intends to take discovery on topics including the Defendant Deputies' actions on  
8 the day of the incident; any investigation of the deputies' actions and any resulting discipline; any  
9 issues of misconduct involving any Defendant prior to the incident; and the County's policies,  
10 procedures, and practices with regard to the release of investigative materials such as video taken  
11 during the incident.

12      The Parties request no changes to the discovery limitations or to the disclosures under Fed.  
13 R. Civ. P. 26(a), which have already been made. The Parties do not believe that discovery should  
14 be conducted in phases or otherwise limited.

16

## **DISCOVERY CUTOFF**

17      The Parties propose a December 12, 2022, fact discovery cutoff.

19

## **EXPERT DISCOVERY**

20      The Parties propose the following expert discovery cutoffs:

21           Initial Expert Disclosures: January 10, 2023

22           Rebuttal Expert Disclosures: February 8, 2023

23           Expert Discovery Cutoff: February 28, 2023,

24

## **SETTLEMENT CONFERENCE/ADR**

25      The Parties are open to discussing settlement possibilities but have not yet done so.  
26 Defendant does not agree to participate in ADR Procedure No. 2.

## TRIAL ESTIMATE

Trial will be by jury. Parties estimate the trial will take four (4) court days, from Opening Statement through Closing Statement. Plaintiff anticipates calling 8-10 witnesses. Defendant will also have 8 to 10 witnesses

## TRIAL COUNSEL

Plaintiffs will be represented by Faisal Gill.

Defendants will be represented by Tonia Y. Belton-Gofreed.

# INDEPENDENT EXPERT OR MASTER

The Parties agree that this case does not require appointment of a master pursuant to Fed. R. Civ. P. 53 or an independent scientific expert.

## **OTHER ISSUES**

The Parties are aware of no other issues affecting the status or management of the case.

Dated: March 30, 2022 Respectfully Submitted,

/S/ Faisal Gill

Faisal Gill

Gill Law Firm

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/s/ Tonia Y. Belton-Gofreed

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Tonia Y. Belton-Gofreed

### **Associate County Attorney**

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Dated Filed:  
March 30, 2022